

LAHIVE
&
COCKFIELD
LLP

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com

COPY OF PAPERS
ORIGINALLY FILED

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
PETER C. LAURO
JEANNE M. DIGIORGIO
DEBRA J. MILASINCIC, Ph.D.
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.
MEGAN E. WILLIAMS, Ph.D.
RICHANAND
MICHAEL PHILLIPPS *
LISA M. DIROCCO
HATHAWAY P. RUSSELL **
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.
PETER A. DIMATTIA
VINCENT P. LOCCISANO
MERIDETH C. ARNOLD

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.
SIBLEY P. REPPERT

PATENT AGENTS
THEODORE R. WEST
SHAYNE Y. HUFF, Ph.D.
DANIEL B. KO

TECHNICAL SPECIALISTS
CYNTHIA M. SOROOS
PETER W. DINI, Ph.D.
EUIHOON LEE
JENNIFER K. ROSENFIELD
ALLAN TAMESHTIT, Ph.D.
CATHERINE E. McPHERSON
ERIC F. WAGNER, Ph.D.
SHAHID HASAN, Ph.D.
JACOB G. WEINTRAUB
JONATHAN M. SPARKS, Ph.D.
CRISTIN E. HOWLEY, Ph.D.

* Admitted in NY only
** Admitted in TX only

February 14, 2002

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 10/042,070
Inventors: Naimish Patel, Farzana I. Khatri, Anthony Chi-Kong Kam,
Paolo Narvaez, Eric A. Swanson, and Richard A. Barry
Filed: October 19, 2001
Title: INTEGRATED OPTICAL NETWORKING
TRANSPORT/SWITCHING ARCHITECTURE
Attorney Docket No.: SYCS-043/P95

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Application (2 pgs);
2. Executed Declaration, Petition and Power of Attorney (5 pgs);
3. Copy of Formalities letter (1 pg);
4. Check in the amount of \$130.00 (surcharge); and
5. Return Mailroom Postcard.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, DC 20231 on:

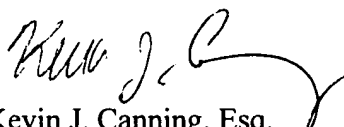
February 14, 2002

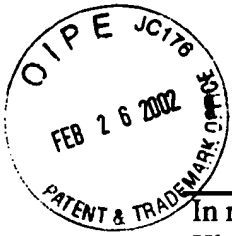
Date

Kevin J. Canning, Esq., Reg. No. 35,470

Respectfully submitted,

LAHIVE & COCKFIELD, LLP


Kevin J. Canning, Esq.
Reg. No. 35,470
Attorney for Applicants



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Naimish Patel, Farzana I.
Khatri, Anthony Chi-Kong Kam, Paolo Narvaez, Eric
A. Swanson, and Richard A. Barry

Serial No.: 10/042,070

Filed: October 19, 2001

Title: INTEGRATED OPTICAL NETWORKING
TRANSPORT/SWITCHING ARCHITECTURE

Attorney Docket No.: SYCS-043/P95

Group Art Unit: 2633

Examiner: Not Yet Assigned

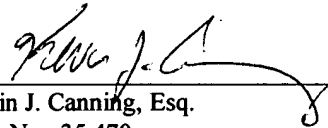
BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

February 14, 2002
Date of Signature and of Mail Deposit

By:


Kevin J. Canning, Esq.
Reg. No. 35,470
Attorney for Applicant

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION**

Dear Sir:

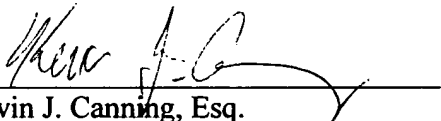
Responsive to the Notice to File Missing Parts of Non-Provisional Application
dated February 5, 2002, Applicants' attorney submits herewith the executed Declaration,
Petition and Power of Attorney for the above-identified patent application.

A check in the amount of **\$130.00** is enclosed to cover the surcharge fee owed by the Applicant based on large entity status. A copy of the Formalities Letter is also enclosed.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



Kevin J. Canning, Esq.
Registration No. 35,470
Attorney for Applicant

28 State Street
Boston, MA 02109
Tel. (617) 227-7400
Dated: **February 14, 2002**



DOCKETED

COPY OF PAPERS
ORIGINALLY FILED

Page 1 of 1

#3

Apr 5, 2002 Missing Parts & Surcharge

Sept 5, 2002 - ESP W/5EXT

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/042,070	10/19/2001	Naimish Patel	SYCS-043/P95

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

CONFIRMATION NO. 3895

FORMALITIES LETTER



OC00000007421400

Date Mailed: 02/05/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

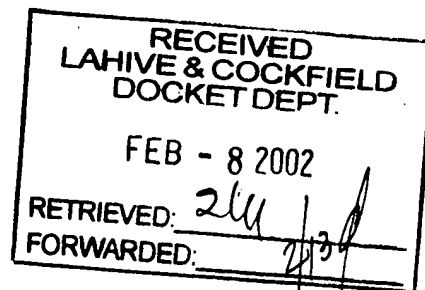
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/04/2002 EEKUBAY1 00000096 10042070

01 FC:105

130.00 0P



e